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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS**

CHRISTOPHER SADOWSKI,  
  
Plaintiff,

v.

DANIEL WHYTE III d/b/a GOSPEL  
LIGHT SOCIETY INTERNATIONAL  
and GLM OMNIMEDIA GROUP LLC;  
and DOES 1 through 10 inclusive,  
  
Defendant.

Case No. \_\_\_\_\_

**COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF FROM  
COPYRIGHT INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Plaintiff Christopher Sadowski, for his Complaint against Daniel Whyte III d/b/a Gospel Light Society International and GLM Omnimedia Group LLC, Defendant, alleges as follows:

**INTRODUCTION**

1. Christopher Sadowski (hereinafter “Plaintiff” or “Sadowski”), by counsel, brings this action to challenge the actions of Daniel Whyte III d/b/a

Gospel Light Society International and GLM Omnimedia Group LLC (hereinafter “Defendant”), with regard to the unlawful use of copyrighted image (hereinafter “Image”) owned by Plaintiff, and this conduct caused Plaintiff damages.

2. For the purposes of this Complaint for Damages, unless otherwise indicated, “Defendant” includes all agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogates, representatives and insurers of Defendant(s) named in this caption.

### **JURISDICTION AND VENUE**

3. This is a civil action seeking damages and injunction relief for copyright infringement under the Copyright Act of the United States, 17 U.S.C. § 101, whereby the defendant violated plaintiff’s exclusive rights as copyright owner pursuant to 17 U.S.C. §§ 106 and 106A.

4. This Court has subject matter jurisdiction over Plaintiff’s claims for copyright infringement pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

5. This Court has personal jurisdiction over Defendant because Defendant’s principal place of business is in the State of Texas, Defendant is a business entity incorporated in the State of Texas, Defendant’s acts of infringement complained of herein occurred in the State of Texas, and Defendant has caused injury to Plaintiff in his intellectual property within the State of Texas.

6. Venue is proper pursuant to 28 U.S.C. § 1391(b) because the

Defendant resides in this judicial district and a substantial part of the events giving rise to Plaintiff's claim occurred in this judicial district. Alternatively, venue is also proper pursuant to 28 U.S.C. § 1400(b) because the Defendant resides, committed the acts of infringement, and has a regular and established place of business in this judicial district.

### **PARTIES**

7. Plaintiff Christopher Sadowski ("Plaintiff" or "Sadowski") is a professional photographer by trade residing in the City of Hawthorne in the State of New Jersey.

8. Plaintiff is a "copyright owner" who holds "exclusive rights" to his "copyrighted work[s]" pursuant to 17 U.S.C. §§ 101, 106, and 106A.

9. Plaintiff is informed and believes, and thereon alleges, that Defendant is a business entity operating from the City of Burleson, in the State of Texas, and has conducted business within the City of Burleson, in the State of Texas at: 232 SW Johnson Ave., #3657, Burleson, TX 76028. *See* <http://blackchristiannews.com/about-us/>; and *see* <http://gospellightsociety.com/contact/>.

10. On information and belief, Defendant owns and operates the website <http://blackchristiannews.com/> or Black Christian News Network One (the "Website" or "BCNN1"). *See* <http://blackchristiannews.com/about-us/>; and *see*

<http://blackchristiannews.com/gospel-light-society-international-websites/>.

11. Defendant Daniel Whyte III is the President of the Gospel Light Society International. On information and belief, Daniel Whyte III is also doing business as GLM Omnimedia Group, LLC. *See* <http://blackchristiannews.com/gospel-light-society-international-websites/>.

12. According to the Website, “Gospel Light Society International and GLM Omnimedia Group LLC have a network of over 1,000 Christian news sites which contain the preaching of the Gospel and Christian discipleship teaching in every country of the world and in every major city of the world. BCNN1 is a part of that network.” *Id.*

13. On information and belief, defendant maintains advertising on its website in order to attract user traffic and drive advertising revenue. *See* <http://blackchristiannews.com/advertise-with-us/>.

### **FACTUAL ALLEGATIONS**

14. At all times relevant, Plaintiff was an individual residing within the State of New Jersey.

15. Plaintiff is informed and believes, and thereon alleges, that at all times relevant, Defendant was a business entity conducting business in the State of Texas and in this judicial district.

16. Plaintiff Christopher Sadowski is a professional photographer by

trade. Sadowski has licensed or sold his photographs to dozens of major media outlets such as The New York Post, The Daily Mail, Boston Globe, Boston Herald, Los Angeles Times, Toronto Sun, Newsweek Magazine, People Magazine, the Associated Press, USA Today, The Wall Street Journal, Fox News, NBC News, MSNBC, Inside Edition, and TMZ.

17. Plaintiff is the sole author and exclusive rights holder to a photograph of a 19-year-old being arrested by New York authorities (the “Image”). A true and correct copy of the original Image is attached hereto as Exhibit A.

18. Plaintiff has registered the Image with the United States Copyright Office under registration number VA 2-108-670.

19. The Image originally appeared in an article by the Daily Mail on June 25, 2018, titled *Six ‘Dominican gang members’ arrested in New Jersey ‘for beating and stabbing 15-year-old Bronx teen to death outside a bodega in a case of mistaken identity’ – bringing a total number to seven* (the “Daily Mail Article”). A true and correct copy of the Daily Mail Article is attached hereto as Exhibit B.

20. The Daily Mail included a credit below the bottom left corner attributing the Image to Sadowski. *See* Exhibit B.

21. On or about July 25, 2018, Sadowski discovered that Defendant had used the Image in an article on its Website titled *Six Dominican Gang Members*

*Arrested in Connection to Brutal Murder of Bronx Teen Appear in Court, Will be Extradited to New York to Face Charges* (the “Infringing Article”). True and correct screenshots of the Infringing Article are attached hereto as Exhibit C.

22. On information and belief, Defendant made an unauthorized copy of Sadowski’s Images taken from the Daily Mail Article, and uploaded them to the server for Defendant’s Websites.

23. Sadowski never authorized Defendant to use the Images in any manner.

24. On information and belief, Defendant knew that it did not have permission to use the Images on Defendant’s Website and willfully infringed Sadowski’s Images.

**FIRST CAUSE OF ACTION**  
**COPYRIGHT INFRINGEMENT**  
**Title 17 of the United States Code**

25. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

26. Plaintiff did not consent to, authorize, permit, or allow in any manner the said use of Plaintiff’s unique and original materials and/or work.

27. Plaintiff is informed and believes and thereon alleges that said Defendant willfully infringed upon Plaintiff’s copyrighted work in violation of Title 17 of the U.S. Code, in that it published, communicated, benefited through,

posted, publicized, and otherwise held out to the public for commercial benefit, the original and unique work of the Plaintiff's consent or authority and acquired monetary gain and market benefit as a result.

28. As a result of each and every Defendant's violation of Title 17 of the U.S. Code, Plaintiff is entitled to actual damages and profits pursuant to 17 U.S.C. §504(b), or statutory damages in an amount up to \$150,000.00 for each infringement pursuant to 17 U.S.C. § 504(c).

29. As a result of the Defendant's violations of Title 17 of the U.S. code, the court in its discretion may allow the recovery of full costs as well as reasonable attorney's fees and costs pursuant to 17 U.S.C § 505 from Defendant.

30. Plaintiff is also entitled to injunctive relief to prevent or restrain infringement of his copyright pursuant to 17 U.S.C. § 502

### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays that judgment be entered against Defendant

- For statutory damages against Defendant in an amount up to \$150,000.00 for each infringement pursuant to 17 U.S.C. § 504(c);
- For general and special damages against Defendant according to proof together with interest thereon at the maximum legal rate;
- For costs of litigation and reasonable attorney's fees against Defendant pursuant to 17 U.S.C. § 505;

- For an injunction preventing Defendant from further infringement of all copyrighted works of the Plaintiff pursuant to 17 U.S.C. § 502; and
- For any other relief the Court deems just and proper.

Dated: January 8, 2019

Respectfully submitted,

/s/ Mathew K. Higbee, Esq.  
Mathew K. Higbee, Esq.  
Texas Bar No. 24076924  
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1504 Brookhollow Dr., Ste 112  
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*Counsel for Plaintiff*



**DEMAND FOR JURY TRIAL**

Plaintiff Christopher Sadowski, hereby demands a trial by jury in the above matter.

Dated: January 8, 2019

Respectfully submitted,

/s/ Mathew K. Higbee, Esq.  
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Texas Bar No. 24076924  
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